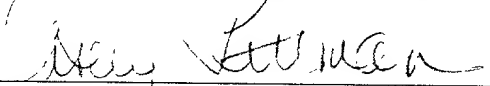


CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as FIRST CLASS MAIL in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231, on February 1, 2002.


Cathy Pittman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jason John Rutherglen et al.

Serial No: 09/872,502 Group Art Unit: To be assigned

Filed: June 1, 2001 Examiner: To be assigned

Title: SECURE DATA ACCESSING SYSTEM AND METHOD

* *

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

**COPY OF PAPERS
ORIGINALLY FILED**

Sir:

In response to the "Notice to File Missing Parts" mailed by the United States Patent and Trademark Office on August 1, 2001, the following documents are enclosed to complete the filing of the above-referenced patent application:

1. Transmittal Form (1 pg.)
2. Petition for Four (4) Month Extension of Time (1 pg.)
3. Executed Declaration and Power of Attorney (4 pgs.)
4. Executed Assignment (5 pgs.);
5. Assignment Recordation form cover sheet (1 pg.);
6. Transmittal of Drawings (2 pgs.);
7. Five (5) sheets of drawings;
8. Fee Transmittal 2002 (1 pg.);
9. Check # 500468 for \$825.00; and
10. Return Postcard

Applicant has misplaced the copy of the Notice to File Missing Parts and has been unable to obtain another copy after diligent effort. Therefore, the copy of the Notice to File Missing Parts is not enclosed with this response.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 07-1896.

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

Dated: February 1, 2002

By Timothy W. Lohse
Timothy W. Lohse
Reg. No. 35,255
Attorney for Applicant

GRAY CARY WARE & FREIDENRICH
1755 Embarcadero Road
Palo Alto, CA 94303
Telephone: (650) 320-7426

Please type a plus sign (+) inside this box



PTO/SB21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Section 8

| | | | |
|---|----------------------|------------------------------|---------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/872,502 | |
| | Filing Date | June 1, 2001 | |
| | First Named Inventor | Jason John Rutherglen et al. | |
| | Group Art Unit | To be assigned | |
| | Examiner Name | To be assigned | |
| Total Number of Pages in This Submission | 21 | Attorney Docket Number | 104632-991110 |

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form (1 pg.) <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment with Appendix A attached (13 pgs.) After Final Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (1 pg.) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement w/Information Disclosure Citation (4 pgs.) <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s): 5 sheets <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Associate Power of Attorney, <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Declaration/Power of Attorney (5 pgs.); Check # 500466 for \$825; Transmittal of drawings (1 pg.); Five (5) sheets of drawings; Certificate of First Class Mailing (1 pg); Return Postcard |
| Remarks | | |

**COPY OF PAPERS
ORIGINALLY FILED**

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

| | |
|-------------------------|--|
| Firm or Individual name | Timothy W. Lohse (Reg. No. 35,255) Gray Cary Ware Freidenrich LLP |
| Signature | <i>Timothy Lohse</i> |
| Date | February 1, 2002 |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box No-Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231

| | | | | | |
|-----------------------|---------------|-----------|----------------------|------|------------------|
| Typed or printed name | Cathy Pittman | Signature | <i>Cathy Pittman</i> | Date | February 1, 2002 |
|-----------------------|---------------|-----------|----------------------|------|------------------|

FEB 14 2002

PTO/SB/17 (10-01)

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

| | |
|----------------------|------------------------------|
| Application Number | 09/872,502 |
| Filing Date | June 1, 2001 |
| First Named Inventor | Jason John Rutherglen et al. |
| Examiner Name | Not Assigned |
| Group Art Unit | Not Assigned |
| Attorney Docket No. | 104632-991110 |

TOTAL AMOUNT OF PAYMENT (\$) **825.00**

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **07-1896**

Deposit Account Name **Gray Cary Ware & Freidenrich**

- ☒ Charge Any additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ **Payment Enclosed:**

- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|----------|
| 101 | 740 | 201 | 370 | Utility filing fee | |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) **0.00**

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|---------------------------|--------------|----------------|----------|
| -20** = | X | | |
| Independent Claims -3** = | X | | |
| Multiple Dependent X | | | |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description |
|-----------------------|-----------------------|-----------------------|-----------------------|--|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 80 | 209 | 42 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) **0.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|---------------------------|-----------------------|-----------------------|-----------------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | 65 |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | 720 |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.107(c) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt. | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | 40 |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | | |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **825.00**

SUBMITTED BY

Name (Print/Type)

Timothy W. Lohse

Signature

Timothy W. Lohse

Registration No.
(Attorney/Agent)

35,255

Complete (if applicable)

Telephone

650-320-7426

Date

February 1, 2002